

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 1961 is amended by changing  
5 Sections 11-14.1, 11-15, 11-15.1, 11-18, 11-18.1, and 11-19 and  
6 by adding Section 11-19.3 as follows:

7 (720 ILCS 5/11-14.1)

8 Sec. 11-14.1. Solicitation of a sexual act.

9 (a) Any person who offers a person not his or her spouse  
10 any money, property, token, object, or article or anything of  
11 value to perform any act of sexual penetration as defined in  
12 Section 12-12 of this Code, or any touching or fondling of the  
13 sex organs of one person by another person for the purpose of  
14 sexual arousal or gratification, commits the offense of  
15 solicitation of a sexual act.

16 (b) Sentence. Solicitation of a sexual act is a Class A ~~B~~  
17 misdemeanor.

18 (Source: P.A. 91-696, eff. 4-13-00.)

19 (720 ILCS 5/11-15) (from Ch. 38, par. 11-15)

20 Sec. 11-15. Soliciting for a prostitute.

21 (a) Any person who performs any of the following acts  
22 commits soliciting for a prostitute:

1           (1) Solicits another for the purpose of prostitution;

2           or

3           (2) Arranges or offers to arrange a meeting of persons  
4           for the purpose of prostitution; or

5           (3) Directs another to a place knowing such direction  
6           is for the purpose of prostitution.

7           (b) Sentence. Soliciting for a prostitute is a Class 4  
8           felony ~~A misdemeanor~~. A person convicted of a second or  
9           subsequent violation of this Section, or of any combination of  
10          such number of convictions under this Section and Sections  
11          11-14, 11-17, 11-18, 11-18.1 and 11-19 of this Code is guilty  
12          of a Class 3 ~~4~~ felony. ~~When a person has one or more prior~~  
13          ~~convictions, the information or indictment charging that~~  
14          ~~person shall state such prior conviction so as to give notice~~  
15          ~~of the State's intention to treat the charge as a felony.~~ The  
16          fact of such prior conviction is not an element of the offense  
17          and may not be disclosed to the jury during trial unless  
18          otherwise permitted by issues properly raised during such  
19          trial.

20          (b-5) A person who violates this Section within 1,000 feet  
21          of real property comprising a school commits a Class 3 ~~4~~  
22          felony.

23          (c) (Blank). ~~A peace officer who arrests a person for a~~  
24          ~~violation of this Section may impound any vehicle used by the~~  
25          ~~person in the commission of the offense. The person may recover~~  
26          ~~the vehicle from the impound after a minimum of 2 hours after~~

1 ~~arrest upon payment of a fee of \$200. The fee shall be~~  
2 ~~distributed to the unit of government whose peace officers made~~  
3 ~~the arrest for a violation of this Section. This \$200 fee~~  
4 ~~includes the costs incurred by the unit of government to tow~~  
5 ~~the vehicle to the impound. Upon the presentation of a signed~~  
6 ~~court order by the defendant whose vehicle was impounded~~  
7 ~~showing that the defendant has been acquitted of the offense of~~  
8 ~~soliciting for a prostitute or that the charges have been~~  
9 ~~dismissed against the defendant for that offense, the~~  
10 ~~municipality shall refund the \$200 fee to the defendant.~~

11 (d) This Section does not apply to any person who could be  
12 otherwise subject to the provisions of Section 11-14 of this  
13 Code.

14 (Source: P.A. 91-274, eff. 1-1-00; 91-498, eff. 1-1-00; 92-16,  
15 eff. 6-28-01.)

16 (720 ILCS 5/11-15.1) (from Ch. 38, par. 11-15.1)

17 Sec. 11-15.1. Soliciting for a Juvenile Prostitute.

18 (a) Any person who violates any of the provisions of  
19 Section 11-15(a) of this Act commits soliciting for a juvenile  
20 prostitute where the prostitute for whom such person is  
21 soliciting is under 17 years of age or is a severely or  
22 profoundly mentally retarded person.

23 (b) It is an affirmative defense to a charge of soliciting  
24 for a juvenile prostitute that the accused reasonably believed  
25 the person was of the age of 17 years or over or was not a

1 severely or profoundly mentally retarded person at the time of  
2 the act giving rise to the charge.

3 (c) Sentence.

4 Soliciting for a juvenile prostitute is a Class X ~~±~~ felony.

5 (d) This Section does not apply to any person who could be  
6 otherwise subject to the provisions of Section 11-14 of this  
7 Code.

8 (Source: P.A. 95-95, eff. 1-1-08.)

9 (720 ILCS 5/11-18) (from Ch. 38, par. 11-18)

10 Sec. 11-18. Patronizing a prostitute.

11 (a) Any person who performs any of the following acts with  
12 a person not his or her spouse commits the offense of  
13 patronizing a prostitute:

14 (1) Engages in an act of sexual penetration as defined  
15 in Section 12-12 of this Code with a prostitute; or

16 (2) Enters or remains in a place of prostitution with  
17 intent to engage in an act of sexual penetration as defined  
18 in Section 12-12 of this Code.

19 (b) Sentence.

20 Patronizing a prostitute is a Class 4 felony ~~A misdemeanor.~~  
21 A person convicted of a second or subsequent violation of this  
22 Section, or of any combination of such number of convictions  
23 under this Section and Sections 11-14, 11-15, 11-17, 11-18.1  
24 and 11-19 of this Code, is guilty of a Class 3 ~~4~~ felony. ~~When a~~  
25 ~~person has one or more prior convictions, the information or~~

1 ~~indictment charging that person shall state such prior~~  
2 ~~convictions so as to give notice of the State's intention to~~  
3 ~~treat the charge as a felony.~~ The fact of such conviction is  
4 not an element of the offense and may not be disclosed to the  
5 jury during trial unless otherwise permitted by issues properly  
6 raised during such trial.

7 (c) A person who violates this Section within 1,000 feet of  
8 real property comprising a school commits a Class 3 ~~4~~ felony.

9 (Source: P.A. 91-274, eff. 1-1-00; 91-498, eff. 1-1-00; 92-16,  
10 eff. 6-28-01.)

11 (720 ILCS 5/11-18.1) (from Ch. 38, par. 11-18.1)

12 Sec. 11-18.1. Patronizing a juvenile prostitute. (a) Any  
13 person who engages in an act of sexual penetration as defined  
14 in Section 12-12 of this Code with a prostitute under 17 years  
15 of age commits the offense of patronizing a juvenile  
16 prostitute.

17 (b) It is an affirmative defense to the charge of  
18 patronizing a juvenile prostitute that the accused reasonably  
19 believed that the person was of the age of 17 years or over at  
20 the time of the act giving rise to the charge.

21 (c) Sentence. A person who commits patronizing a juvenile  
22 prostitute is guilty of a Class 3 ~~4~~ felony.

23 (Source: P.A. 85-1447.)

24 (720 ILCS 5/11-19) (from Ch. 38, par. 11-19)

1           Sec. 11-19. Pimping.

2           (a) Any person who receives any money, property, token,  
3 object, or article or anything of value from a prostitute, not  
4 for a lawful consideration, knowing it was earned in whole or  
5 in part from the practice of prostitution, commits pimping.

6           (b) Sentence.

7           Pimping is a Class 4 felony ~~A misdemeanor~~. A person  
8 convicted of a second or subsequent violation of this Section,  
9 or of any combination of such number of convictions under this  
10 Section and Sections 11-14, 11-15, 11-17, 11-18 and 11-18.1 of  
11 this Code is guilty of a Class 3 4 felony. ~~When a person has one  
12 or more prior convictions, the information or indictment  
13 charging that person shall state such prior conviction so as to  
14 give notice of the State's intention to treat the charge as a  
15 felony.~~ The fact of such conviction is not an element of the  
16 offense and may not be disclosed to the jury during trial  
17 unless otherwise permitted by issues properly raised during  
18 such trial.

19           (c) A person who violates this Section within 1,000 feet of  
20 real property comprising a school commits a Class 3 4 felony.

21           (Source: P.A. 91-274, eff. 1-1-00; 91-498, eff. 1-1-00; 91-696,  
22 eff. 4-13-00.)

23           (720 ILCS 5/11-19.3 new)

24           Sec. 11-19.3. Vehicle impoundment. A peace officer who  
25 arrests a person for a violation of Section 11-14.1, 11-15,

1 11-15.1, 11-18, 11-18.1, or 11-19 of this Code may impound any  
2 vehicle used by the person in the commission of the offense. A  
3 person charged with such violation shall be charged a \$1,000  
4 fee to be paid to the unit of government that impounded the  
5 vehicle. This fee includes the costs incurred by the unit of  
6 government to tow the vehicle to the impound. Five hundred  
7 dollars of the fee shall be distributed to the unit of  
8 government whose peace officers made the arrest for a violation  
9 of Section 11-14.1, 11-15, 11-15.1, 11-18, 11-18.1, or 11-19 of  
10 this Code. Five hundred dollars of this fee shall be deposited  
11 in the Violent Crime Victims Assistance Fund and shall be used  
12 by the Department of Human Services to make grants to  
13 non-governmental organizations for services provided to  
14 prostituted persons, persons encountered in the course of  
15 investigating a violation of Section 11-14.1, 11-15, 11-15.1,  
16 11-18, 11-18.1, or 11-19 of this Code, and victims of human  
17 trafficking. Upon the presentation of a signed court order by  
18 the defendant whose vehicle was impounded showing that the  
19 defendant has been acquitted of any of the offenses described  
20 in this Section or that the charges have been dismissed against  
21 the defendant for that offense, the municipality shall refund  
22 the \$1,000 fee to the defendant.